

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

----- X
UNITED STATES OF AMERICA

-against-

S4-08-Cr.-828 (VM)

MICHAEL FORDE,
JOHN GREANEY,
BRIAN HAYES,
MICHAEL BRENNAN,
FINBAR O'NEILL,
JOSEPH OLIVIERI,
BRIAN CARSON,
JOSEPH RUOCCO,
JOHN STAMBERGER, and
MICHAEL VIVENZIO,

Defendants.

NOTICE OF MOTION

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PLEASE TAKE NOTICE that upon the accompanying Memorandum of Law and Declaration of Brian Gardner, and exhibits attached thereto, Defendant Joseph Olivieri will move the Court, before the Honorable Victor Marrero, United States District Court Judge, at the United States Courthouse located at 500 Pearl Street, New York, New York, as soon as counsel may be heard or as the Court shall so designate for an Order:


1. Dismissing Count Twenty-four of the Indictment which charges Joseph Olivieri with Perjury;
2. Dismissing portions of Count Seventeen of the Indictment which

charges Olivieri with Unlawful Payments to Labor Representatives, and directing a bill of particulars be provided as to count Seventeen;

3. Granting such further relief as the Court deems just and proper.

Dated: New York, New York
April 2, 2010

SULLIVAN GARDNER PC

By: 
Brian Gardner (BG 0006)
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